

REMARKS

This is in response to the Office Action dated August 4, 2003. After entry of this Amendment, claims 12-23 are pending in the application. Claims 12, 16, 17, 19 and 20-23 have been amended. Reconsideration is respectfully requested.

Claims 12-15 and 20-21 were rejected under 35 U.S.C. 103(a) as being unpatentable over Adams et al. in view of Mahulikar et al. The Examiner states that "Adam et al. discloses a motor vehicle gear motor comprising a core motor and reduction gear base, the core and base having metal mating flanges with outer peripheries protruding away from the core and base respectively, a joint interposed between the core and the base. Adam et al. is silent as to the composition of the joint. However, Mahulikar et al. teaches a joint including a sealing material and a metal element that contacts metal parts of a core and base, the metal element operable to conduct electrical current between the core and the base. It would be obvious to one of ordinary skill in the art at the time the invention was made to provide the gear motor of Adam et al. with the seal of Mahulikar et al. so as to provide a seal between the core and base that serves as a means to align the core and base and at the same time, providing an electrical contact between the core and base so as to maintain the same electric potential across the core and base."

It is submitted that the combination of Adam et al. with the gasket of Mahulikar does not teach a joint interposed between the core and the base, the joint being diamond shaped with lugs and the joint having a circular opening at its center. The diamond shaped joint interposed between the motor core and the gear base allows precise positioning between these two without any overlap.

The cited references are different from the present invention in that the Mahulikar invention is a metal package for housing electronic devices, specifically, the cited joint is utilized to interconnect the base and cover components of electronic devices (circuits) for the reduction of electromagnetic interference. The Examiner refers to a joint in the Mahulikar invention which is a lead frame containing a plurality of electrical leads. Furthermore, the sealing material referenced by the

Examiner is a separately acquired adhesive applied to a chip pad in the lead frame with thermal conductivity for bonding the chip pad to the base component of the metal package. Mahulikar's adhesive would add an additional manufacturing process step because the adhesive has to be manually applied, this increases the time of the manufacturing process as well as the cost of manufacturing. In the present invention the joint is composed of the sealing material, eliminating the need for an additional manufacturing process step which also reduces the manufacturing cost. Mahulikar is not analogous art to the disclosed invention. The cited reference "Mahulikar" metal package joint is not capable of being a viable alternative for joining a motor housing to a transmission housing such as the present invention is capable. Mahulikar's joint is not a viable alternative because it's square shape would not allow precise positioning between the core motor and gear base, the result would be an overlap. The Examiner has failed to cite in Mahulikar a teaching that shows a joint as provided in the present invention in claim 12.

Regarding claims 13-15 and 21, the Examiner states that "Mahulikar et al. teaches the seal having several fixation orifices adjoining the embedded metal elements, the metal elements being disjointed. It would have been obvious to one of ordinary skill in the art at the time the invention was made to provide the core motor of Adam et al. with the seal of Mahulikar et al. so as to provide a seal with several fixation orifices for a secure connection between the seal and motor." As stated in the previous paragraphs, the combination of references cited does not teach or suggest the present invention as recited in claims 13-15 and 21 in combination with claim 12 from which they depend.

Regarding claim 20, the Examiner states that "Adam et al. discloses the core and base having a cylindrical sector, the joint having an opening able to receive a cylindrical sector and stops projecting into the opening." As previously stated in the Amendment to the First Office Action, the stops cited by the Examiner in Adam et al. are slot openings on the transmission housing for receiving projections from the motor housing so that the two metal housings can be aligned with one another.

Applicant's attorney respectfully requests that Examiner reference column 3, lines 27-34 of Adam et al. for a disclosure of this structure. Furthermore, the slot openings are disposed radially outwardly of the seal in Adams et al. The seal includes fitting openings that allow motor housing projections to thread through the fitting openings so that the projections can be inserted into the transmission housing in order to align the transmission and motor housings. The stops recited in the present invention are formed on the joint for aligning the joint between the gear base and motor core. Furthermore, the joint in the present invention is structurally designed to fit specifically between the gear base and motor core. The Examiner has failed to cite in Adam a teaching that shows stops formed on a seal as provided in the present invention in claim 20.

Claims 16-18 and 22-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Adam et al. in view of Mahulikar et al. as applied to claims 12-15 above, and further in view of Duhn. The Examiner states that "Adams et al. discloses a gear motor with definitive fixation means for the joint to the core motor as claimed, including a wall that externally surrounds the outer periphery of the mating flange of the core, but does not disclose temporary fixation means as claimed by Applicant."

The Examiner states "Duhn teaches a J-shaped temporary clipping lug on a joint, the lug having a wall extending substantially orthogonally from an edge of the joint and that surrounds the outer periphery of a mating flange when assembled. The temporary clipping lug further comprises an access orifice in order to remove the temporary fixing means. It would have been obvious to one of ordinary skill in the art to provide the joint of the reference combination set forth above with a temporary clipping lug so that the joint could be temporarily attached to the gear motor housing and then attached to the base. This method of assembling the motor would reduce the complexity of assembling the apparatus and ensure that the base and housing were properly aligned so as to provide a tight seal between the two portions to save maintenance cost by preventing fluid leakages. Furthermore, it would have been

obvious to provide an access orifice in the lug so as to provide a way to release the lug once the definitive fixing means had been secured."

The combination of Adam et al. in view of Mahulikar et al. and further in view of Duhn does not teach a temporary fixation means that is sufficient to attach the motor and transmission housing. The Duhn clipping lug is on a rubber grommet and is utilized to engage and hook the grommet to a wall opening where the grommet is suspended and capable of movement. By contrast, the temporary fixation means "snap lug" of the present invention snaps the joint to the motor core's mating flange and surrounds the outer periphery of the mating flange eliminating the capability of movement as well as forms a secure alignment of the two parts. It is respectfully submitted that the present invention's temporary fixation means define over Duhn's temporary fixation means because movement between the motor and transmission housing is eliminated via snap fit attachment that forms a tight seal between the two parts.

Regarding claims 22 and 23, the Examiner states these product claims are permissible techniques and not a process capable of defining the invention since there is no structural difference required. The present invention teaches structural differences that are more than a permissible technique for defining the present invention, the structural difference is the diamond shaped joint, as a result claims 22 and 23 are valid and necessary for defining the present invention's product in terms of a process.

It is respectfully submitted that this Amendment overcomes all of the Examiner's rejections because claims 12-23 define over the cited references for the reasons previously stated. It is respectfully submitted that claims 12-23 are in condition for allowance; notice of which is requested.

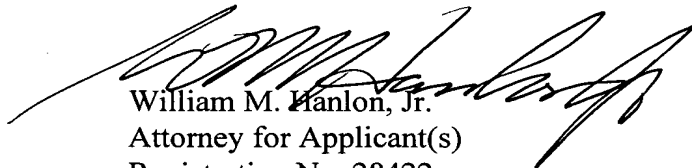
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If the Examiner feels that prosecution of the present application can be expedited by way of further communication, the Examiner is invited to contact the Applicant's attorney at the telephone number listed below.

Respectfully submitted,

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